

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION
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In re:

CAMPBELLTON-GRACEVILLE HOSPITAL
CORPORATION,

Case No. 17-40185-KKS

Chapter 11

Debtor.

**FINAL ORDER GRANTING LIQUIDATING TRUSTEE'S RENEWED
EXPEDITED MOTION FOR ENTRY OF FINAL JUDGMENT AGAINST
EMPOWER H.I.S., LLC AND JORGE A. PEREZ AND INCORPORATED
MEMORANDUM OF LAW (DOC. 1130)**

THIS MATTER came before the Court on the *Liquidating Trustee's Renewed Expedited Motion for Entry of Final Judgment Against Empower H.I.S., LLC and Jorge A. Perez and Incorporated Memorandum of Law* (Doc. 1130, the "Motion"). The Motion was originally heard on October 15, 2019 and continued for a Final Evidentiary hearing on October 29, 2019. On October 25, 2019, the Court entered its *Order Canceling Evidentiary Hearing and Rescheduling a Non-Evidentiary Hearing on Liquidating Trustee's Renewed Expedited Motion for Entry of Final Judgment Against Empower H.I.S., LLC and Jorge A. Perez and Incorporated Memorandum of Law* (Doc. 1163) finding Jorge A Perez and Empower H.I.S., LLC, in default under the Settlement Agreement and rescheduling the hearing as a non-evidentiary hearing for further argument as to the relief requested by the

Liquidating Trustee. On October 29, 2019, the Liquidating Trustee filed his *Notice of Filing Confidential Binding Mediation Agreement Term Sheet Between the Debtor, Official Committee of Unsecured Creditors, Empower H.I.S., LLC and Jorge Perez* (Doc. 1164, “Term Sheet”) for additional support as to the relief requested in the Motion. In attendance at the October 29, 2019 final hearing, was Brian G. Rich, Esq. from Berger Singerman LLP and Gary Freedman, Esq. from Nelson Mullins Broad and Cassel, counsel for the Liquidating Trustee, and Jorge A. Perez. The Court having reviewed the Motion and exhibits filed including, the *Affidavit of Counsel in Support of the Motion for Entry of Default Final Judgment Against Empower H.I.S. LLC and Jorge A. Perez*, the *Affidavit of Marta Alfonzo of Morrison, Brown, Argiz & Farra, LLC in Support of the Motion for Entry of Default Final Judgment Against Empower H.I.S., LLC and Jorge A. Perez*, the *Verification of Liquidating Trustee*, the Term Sheet and the Court’s docket, good cause appearing, and being otherwise duly advised, and for the reasons stated on the record:

It is **ORDERED**:

1. The Motion is **GRANTED**.
2. The Court will enter a separate default final judgment in favor of Marshall Glade, Liquidating Trustee of the Campbellton-Graceville Hospital Liquidating Trust and jointly and severally against Empower H.I.S., LLC and Jorge

A. Perez, individually, in the amount of **\$5,000,000.00**, plus interest at the maximum amount allowable by law.

3. Any and all rights of the Liquidating Trustee to assert claims for restitution or participate in any forfeiture proceeding, to the full extent of the Liquidating Trustee's damages against Empower H.I.S., LLC and Jorge A. Perez, should any criminal restitution or forfeiture orders be entered against Empower H.I.S., LLC and/or Jorge A. Perez, are expressly preserved.

DONE AND ORDERED on November 15, 2019.



Karen K. Specie
United States Bankruptcy Judge

Submitted by (and amended in chambers):

Brian G Rich, Esq.
Berger Singerman LLP
Counsel for the Liquidating Trustee
313 North Monroe Street, Suite 301
Tallahassee, Florida 32301
Telephone: (850) 561-3010
Facsimile: (850) 561-3013
brich@bergersingerman.com

(Attorney Rich is directed to serve a conformed copy of this Order upon all interested parties and to file a Certificate of Service with the Court).